

[Bracketed] and/or ~~strike through~~ material is that portion being deleted or amended
Underlined material is that portion being added

Adopted: 08-19-09

Effective: 09-21-09

BILL NO. _____

SUMMARY - An Ordinance to amend the Unified Development Code to update and revise various Title 30 requirements and make corrections and clarifications as appropriate. (T30-0903-09)

ORDINANCE NO. **3805**
(of Clark County, Nevada)

AN ORDINANCE TO AMEND TITLE 30, CHAPTERS 30.08, 30.16, 30.24, 30.44, 30.48, 30.56, 30.60, 30.64, 30.72, APPENDIX F, APPENDIX G MAP 14, SECTIONS 30.08.030, 30.24.040, 30.44.010, 30.48.550, 30.48.640, 30.48.930, 30.48.935, 30.56.040, 30.56.050, 30.56.080, 30.64.020, 30.64.030, AND 30.64.070 TABLES 30.16-3, 30.16-9, 30.16-10, 30.44-1, 30.56-2, 30.60-1, 30.60-5, AND 30.72-1 FIGURES 30.56-21, 30.56-22 AND 30.56-23 TO UPDATE VARIOUS LAND USE REQUIREMENTS AND PROCEDURES AND MAKE CORRECTIONS AND CLARIFICATIONS AS APPROPRIATE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF CLARK, STATE OF NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Title 30, Chapter 30.08, Section 30.08.030, of the Clark County Code is hereby amended to read as follows:

Development

“Development” means the division of land into 2 or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure or site improvement; property for which an unexpired land use application approved a use; property for which a building permit is active for the appropriate use; any mining, excavation, landfill, grading, or modification of the natural landscape; and/or any use or extension of the use of land, including the addition of impervious surfaces which retard or prevent the infiltration of water into the soil mantle, or which change the characteristics of water flow. Development shall include development within another political subdivision. (See also “Use”)

1. “Commercial Development” means established development in which the uses conducted are listed as conditional or permitted in the commercial districts in Table 30.44-1, regardless of the district in which it is located. Dispatch services may be provided accessory to a licensed business.

7. “Special Development” means established development permitted as a special use within the various districts which is not a permitted or conditional use within any of the various districts, other than special districts, such as congregate care, assisted and independent living, ~~[major]~~ schools, hospitals, cemeteries, libraries, day care, child care, museums, and places of worship, except as otherwise noted in the definition of other types of development. (Ord. 3397 § 1 (part), 6/2006; Ord. 3174 § 1 (part), 1/2005; Ord. 3055 § 1 (part), 4/2004; Ord. 2907 § 1 (part), 7/2003)

Dry Cleaner

“Dry Cleaner” means a facility where fabrics are cleaned with substantially nonaqueous organic solvents and where the floor area utilized for dry-cleaning equipment or dry-cleaning processes including accessory tailoring and alterations and shall not exceed 1,800 square feet. The 1,800 square foot limitation shall not include public areas, office space or space devoted to clothing storage racks and devices. (See Chapter 6.12 Dry Cleaner/Laundry)

**Materials Recovery Facility
(construction or demolition waste)**

“Materials Recovery Facility (construction or demolition waste)” means a facility [building] in which commingled “recyclable materials” and “construction or demolition waste,” as those terms are defined in this Section or Chapter 9.04 of the Clark County Code, are collected, and the recyclable materials separated out, processed, and/or baled in preparation for shipment to others who will use the recyclable materials to manufacture new products, in accordance with the provisions of Chapter 9.04 of the Clark County Code. (Also see Recycling Center) See also “Recycling and Related Uses” (Ord 3586 § 1(part), 2/2008; Ord. 3257 § 2 (part), 7/2005)

**Model ~~[Home]~~
Residence**

“Model ~~[Home]~~ Residence” means a residential unit ~~[home in a subdivision]~~ for display to potential customers.

Sales, Secondhand

“Sales, Secondhand” means the sale of previously and/or used owned goods as further defined by Chapters 6.28 and 7.16 ~~[, previously owned and/or used by other than a licensed pawnbroker, but does not include (See Chapters 6.28 & 7.16 Business License):~~

- ~~1. The buying or selling by a licensed business of articles which were acquired as a trade in or a credit upon the purchase of a new article of the same general kind through an arm's length transaction.~~
- ~~2. The buying, selling, or trading of coins, gold, silver, or jewelry~~
- ~~3. The selling of used articles in garage sales or other similar sales on the property of the owner of the articles which do not occur more often than 6 days, or portion thereof, each calendar half year.]~~

SECTION 2. Title 30, Chapter 30.16, Tables 30.16-3, 30.16-9, and 30.16-10 of the Clark County Code are hereby amended to read as follows:

| Table 30.16-3 ZONE BOUNDARY AMENDMENT - AUTHORITY AND CONSIDERATION TABLE <i>SEE ALSO 30.16.210 for general process information and standards</i> | |
|--|--|
| k. Standards For Approval | <ol style="list-style-type: none">1. Requests for amendments are subject to the discretion of the Board in consideration of the Plan. The Board may approve a request as submitted, or may reduce a request to a more restrictive district, within the same zoning district category. To change zoning district category, it must be held and renotified prior to final action by the Board.2. Good cause shall be shown if the Board approves a density of over 2 dwelling units per acre within 330 feet of an RNP-I or RNP-II district; 4 dwelling units per acre <u>within</u> 330 feet of an RNP-III district; or a non-residential use within 330 feet of an RNP-I, RNP-II, or RNP-III district.3. If the allowable density or intensity of use is sought to be decreased, and at least 20% of the owners <u>within the notification radius</u> whose property's density or intensity of use will be decreased, object to the change, the Board shall consider the merits of the objections and shall make a written finding that the public interest and necessity will be promoted by the change.4. For a nonconforming zone boundary amendment, the applicant shall provide compelling justification that approval of the nonconforming zoning is appropriate. The Board may consider the cumulative impacts of nonconforming zone boundary amendments within the planning area. (See Section 30.08.030, Compelling Justification)5. FAA and other additional requirements and standards are established in 30.16.210. |

SECTION 3. Title 30, Chapter 30.24, Section 30.24.040, of the Clark County Code is hereby amended to read as follows:

30.24.040 Procedures to Establish.

- a. A PUD is permitted as a special use in accordance with the procedures and standards for approval set forth in Table 30.16-4. A PUD may be established without a special use permit if the proposed development is in full compliance with all zoning and overlay district regulations, including density restrictions. Residential PUDs shall also comply with the requirements of NRS 116, and a subdivision map shall be recorded for all PUDs. A design review application is required in accordance with the procedures and standards for approval set forth in Table 30.16-9.

SECTION 4. Title 30, Chapter 30.44, Section 30.44.010, Table 30.44-1 of the Clark County Code is hereby amended to read as follows:

30.44.010 Uses Allowed in Zoning Districts

- a. The uses listed in Table 30.44-1 are subject to the development standards listed in Chapters 30.52 (Off-Site Development Requirements), 30.56 (Site Development Standards), 30.60 (Parking and Loading Regulations), 30.64 (Site Landscape and Screening Standards), and 30.68 (Site Environmental Standards) unless modified by the restrictions of any of the overlay districts in Chapter 30.48 (Zoning Overlay Districts) or by the table.

[Examples are shown below.]

EXAMPLE: 1

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | | Commercial Districts | | | | Manufacturing/Industrial Districts | | | Miscellaneous Districts | | | | | |
|---------------------------------|--------------------------|---|--------------|--------------|--------------|--------------|--------------|--------------|-----|-----|-----|-----|--|-----|-----|-----|------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Agriculture—Aviaries | 1110 1115 | C | C | C | S | S | S | S | | | | | | | | | | | | | | | | | |
| | | Conditional Use in R-U, R-A, R-E:— 1. Must be accessory to residential principal use.— 2. Maximum of 20 birds.— Aviaries are permitted outside. | | | | | | | | | | | Special Use in R-D, R-1, R-T, R-2: 1. Must be accessory to residential principal use. 2. Maximum of 20 birds. Aviaries may be permitted outside if approved. (Ord. 2741 § 7 (part), 5/2002) | | | | | | | | | | | | |

EXPLANATION: ~~The use is not permitted by right in any zoning district and is a conditional or special use in the districts listed. Properties within the R-U, R-A, and RE zoning districts must have a principal residential use established first and may then have a maximum of 20 birds which may be kept outside. Properties within the R-D, R-1, R-T and R-2 zoning districts must request approval with a special use permit, must have a principal residential use established first, may then have a maximum of 20 birds, and may keep the birds outside. To waive the conditions of a Conditional Use, a special use permit is required; and to waive the conditions of a Special Use, a waiver of development standards is required. Additionally and in all cases, waivers are subject to compatibility with Standard Land Use Classification Manual (SLUCM) requirements listed in Table 30.48 AE.~~

EXAMPLE: 2

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | | Commercial Districts | | | | Manufacturing/Industrial Districts | | | Miscellaneous Districts | | | | | |
|---|--------------|-----------------------|-----|----|-----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Agriculture – Hogs/Pigs – See also “Agriculture – Animal Care Project” | 8160 1110 | –C | –C | | | | | | | | | | | | | | | | | | | | | | |
| Conditional Use: 1. Must be within Community District 5. (This condition cannot be waived or varied.) 2. One per 20,000 square feet of lot area not to exceed 2 animals. Hogs/pigs are permitted outside. (Ord. 2741 § 7 (part), 5/2002) | | | | | | | | | | | | | | | | | | | | | | | | | |

EXPLANATION: The use is not permitted by right in any zoning district and is a conditional use in the districts listed. Properties within the R-U and R-A zoning districts must also be located within Community District 5 (CD 5), may then have one animal per 20,000 square feet of lot area up to a maximum of two animals, and the animals are permitted outside. If the property is in the R-A zoning district but the lot is only 20 acres, approval of a text amendment application would be required to apply for the use. To waive the conditions of a Conditional Use, a special use permit is required; however, in this case, the first condition cannot be waived but the maximum number of animals can. Additionally and in all cases, waivers are subject to compatibility with Standard Land Use Classification Manual (SLUCM) requirements listed in Table 30.48 AE.

EXAMPLE: 3

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | | Commercial Districts | | | | Manufacturing/Industrial Districts | | | Miscellaneous Districts | | | | | |
|--|------------|-----------------------|-----|----|-----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Arcade | 7396 | | | | | | | | | | | | | S | P | S | S | | | | | | | E | S,A |
| Accessory Use allowed only when in conjunction with a resort hotel or hotel/motel having 50 or more guest rooms Conditional Use in U-V must be part of a mixed-use development (Section 30.40.310). | | | | | | | | | | | | | | | | | | | | | | | | | |

EXPLANATION: The use is permitted by right in the C-2 zoning district and is a conditional, special, or accessory use in the other districts listed. Properties within the U-V zoning district must be part of a mixed use development, and properties within the C-1, M-D, M-1, and H-1 zoning districts must request the use with a special use permit. Additionally, the accessory use in the H-1 zoning district is only permitted in conjunction with an established resort hotel or hotel/motel with 50 or more guest rooms. To waive the conditions of a Conditional Use, a special use permit is required; and to waive the conditions of a Special Use, a waiver of development standards is required. Additionally and in all cases, waivers are subject to compatibility with Standard Land Use Classification Manual (SLUCM) requirements listed in Table 30.48 AE.

EXAMPLE: 4

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | | Commercial Districts | | | | Manufacturing/Industrial Districts | | | Miscellaneous Districts | | | | | |
|--|------------|-----------------------|-----|----|-----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|------------------------------------|-----|-----|-------------------------|-----|-----|-----|------|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Banquet Facilities | 6300 | | | | | | | | | | | | | S | E | S | S | | | | | | E | S, A | |
| <div>Conditional Use in C-2 and Special Use in C-1, M-D, M-1 and H-1 Subject to:</div> <div>1. No outside uses. The Commission or Board may consider waiving this condition with the approval of a special use permit.</div> <div>2. Must be located on a property not less than 2 acres.</div> <div>3. Maximum 1 story only.</div> <div>4. If in U-V must be part of a mixed-use development (Section 30.40.310).</div> <div>Accessory Use when in conjunction with a resort hotel or hotel/motel having 50 or more guest rooms.</div> <div>Note: Chapter 8.20 of the Clark County Code regulates the sale of alcohol and cannot be waived or varied (see Business License Department).</div> | | | | | | | | | | | | | | | | | | | | | | | | | |

EXPLANATION: The use is not permitted by right in any zoning district and is a conditional, special, or accessory use in the districts listed. Properties within all the zoning districts listed must be a minimum of 2 acres, and the banquet facility is limited to one story only with no outside uses allowed. Additionally, properties within the U-V zoning district must be part of a mixed use development, and the accessory use in the H-1 zoning district is only permitted in conjunction with an established resort hotel or hotel/motel with 50 or more guest rooms. To waive the conditions of a Conditional Use, a special use permit is required and the Commission or Board may place additional conditions on the outdoor use as part of the special use permit request; to waive the conditions of a Special Use, a waiver of development standards is required. Additionally and in all cases, waivers are subject to compatibility with Standard Land Use Classification Manual (SLUCM) requirements listed in Table 30.48 AE.]

Table 30.44-1 Global Use Table

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | Commercial Districts | | | | Manufacturing/Industrial Districts | | | Miscellaneous Districts | | | | | | |
|--|------------|-----------------------|-----|----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Communication Towers [and Antennas] | 4700 | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>All Communication Towers and Antennas, <u>including temporary</u>, shall meet the following conditions: Communication towers and antennas are a special use unless permitted as a conditional use within this table, or licensed by the Federal Communication Commissioner as an amateur radio operation (see conditions under Antennas below). All communication towers and antennas shall comply with the conditions below. Use is permitted outside.</p> <p>1. The frequencies used by the communication provider shall be in conformance with Federal Communication Commission standards as certified by a competent professional.</p> <p>2. The proposed tower is required because the antenna is not able to be located on an existing building, tower, structure, sign, or approved tower within the communications grid established, or to be established, by the communication provider because of one of the following:</p> <p>A. The unwillingness of the owner of an existing tower or building to agree to collocation or to provide adequate space on the property for the equipment necessary to support additional communication antenna(s).</p> <p>B. The lack of structural capacity for the antenna on the existing tower or building.</p> <p>C. The new antenna would interfere with existing or other planned equipment on the existing tower or building.</p> <p>D. The available heights on the existing tower or building are not compatible with the proposed communication grid.</p> <p>E. Other unforeseen reasons which make it commercially impracticable or technically unfeasible to locate on an existing tower or building.</p> <p>F. Notwithstanding subsections (A) through (E) above, all communication providers shall first attempt to locate antenna arrays upon existing buildings and structures, including off-premise signs, within 600 feet of the proposed site prior to being approved for a new tower installation. In the event that there is such a building or structure within the distance of 600 feet, it will be incumbent upon the communication provider to demonstrate either technological or economic hardship which would discourage this cooperative land use.</p> <p>3. Standards listed as applicable to towers or antennas may not be required if such standards prevent the communication provider from establishing a communication system as required by federal law.</p> <p>For specific development standards for a Tower, see “Communication Tower” or for an Antenna, see “Communication Antenna” (Ord 3586 § 5 (part), 2/2008; Ord. 2725 § 3, 3/2002)</p> | | | | | | | | | | | | | | | | | | | | | | | | | |

Table 30.44-1 Global Use Table

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | | Commercial Districts | | | | Manufacturing/Industrial Districts | | | Miscellaneous Districts | | | | | | |
|---|------------|---|-----|----|-----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|--|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 | |
| Convenience Stores <i>See also Service Station</i> | 5300 | | | | | | | | | | | | | | S | C | S | S | | | S | | | C | S | |
| | | Conditional Use in C-2 and U-V and Special Use in C-1, M-D, M-1, H-1 and H-2 Subject to: 1. Must not have less than 1,200 square feet and no more than 6,000 square feet of floor space, exclusive of warehouse and office areas, devoted to the display of merchandise. 2. Must have at least 1 restroom available for public use during all hours the store is open for business. 3. Minimum 30 foot setback for all buildings and canopies from the right-of-way line of any section line street. 4. Minimum 20 foot setback for all buildings and canopies from the right-of-way line of any non-section line street. 5. Must <u>maintain a [be set back] minimum 200 foot separation [feet]</u> from any residential use on a separate property unless buffered from the development by an existing building. 6. [Underground fuel tanks must be set back 1,000 feet from any well used as a source of potable water, lake or major wash unless the underground tank is constructed per the Southern Nevada Health District Department of Environmental Health's more stringent structural requirements.] [7]. If located in the U-V district, must be part of a mixed-use development (Section 30.40.310). Note: Chapter 8.20 of the Clark County Code regulates the sale of alcohol and cannot be waived or varied (see Business License Department). (Conditions #1 & #2 cannot be waived or varied per Title 6. The Commission or Board may consider waiving conditions #3 - #[7] <u>6</u> with the approval of a special use permit.) (Ord 3586 § 5 (part), 2/2008; Ord. 3472 § 7 (part), 1/2007; Ord. 2907 § 6 (part), 7/2003; Ord. 2683 § 3 (part), 11/2001) | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Escort Bureau | 6590 | | | | | | | | | | | | | S | S | C | C | | | | | | | S | | |
| | | Conditional Use in M-D and M-1 Subject to an Administrative Design Review Application, and Special Use in C-1, C-2, and H-1, All subject to the following separations. (These conditions cannot be waived or varied) Separations shall be measured radially in all directions from the property line to the nearest property line of the uses listed below. [Where the proposed use is within 500 feet of the required separation, t] The applicant shall provide evidence certified by a professional land surveyor licensed in the State of Nevada that demonstrates conformity with the following separation requirements. Must be located a minimum of: 1. 1,500 feet from any residential use; 2. 1,500 feet from a public library, public park or playground, day care facilities for children, [major] school, or place of worship. (Ord. 2625 §2, 2001) | | | | | | | | | | | | | | | | | | | | | | | | |
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Table 30.44-1 Global Use Table

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | Commercial Districts | | | | Manufacturing/ Industrial Districts | | | Miscellaneous Districts | | | | | | |
|-------------------|------------|---|-----|----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|-------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Fuel Storage Yard | 2900 | | | | | | | | | | | | | | | | S | S | S | | | | | | |
| | | <p>Special Use in M-2 Subject to:</p> <p>1. Must be set back 1,000 feet from any non-industrial use.</p> <p>2. Outside storage may be permitted as a principal use subject to compliance with requirements for outside storage.</p> <p>3. Must be set back a minimum 200 feet from any other industrial use except accessory uses.</p> <p>4. Shall comply with all applicable Fire and Building Code requirements for combustible liquid storage.</p> <p>Special Use in M-D and M-1 Subject to:</p> <p>1. Shall be limited to the storage of bulk motor oil for wholesale distribution only; and processing of motor oil products is prohibited.</p> <p>2. All bulk motor oil products shall be stored indoors within double-wall storage tanks (UL 142 or equivalent).</p> <p>3. Shall comply with conditions #1[,] and #4[, and #5] for the M-2 district (above).</p> <p>4. Conditions #1 and #2 shall not be waived or varied (note: Fire and Building Code requirements are not waivable).</p> <p>(Ord. 3688 § 7 (part), 10/2008; Ord. 3354 § 6 (part), 2/2006; Ord. 2907 § 6 (part), 7/2003)</p> | | | | | | | | | | | | | | | | | | | | | | | |
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|--|--------------|-----------------------|-----|----|-----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|-------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Model Residence[s] (Also see “Temporary Sales Office”) | 1110 1115 | C | C | C | C | C | C | C | C | C | C | | S | A | A | A | A | | | | | | C | C | C,A |
| Conditional Use: 1. Number of models for each development (prior to the recordation of a subdivision map): A. Single-family units: 6 model residences [home units] or, for an overall single-family detached development (area within an approved tentative map), 300 acres or larger – 1 unit per 20 acres, maximum 20 model residences [home units]. B. Multi-family or manufactured home units: 8 model residences [home units]. C. Recreational park trailers, permitted only in recreational vehicle parks where recreational park trailers are established or proposed: 8 model residences [units]. (This condition cannot be waived or varied.) 2. Time Limit. Models must be converted to a residential use when the last home in the development has been sold. The time limit does not apply to models located within apartment complexes or manufactured home parks, provided the residential character of the model is maintained, and all manufactured homes are properly installed. 3. Models constructed prior to the recording of a subdivision map. A. A final map technical review must be submitted for the location where the residences will be located and off-site improvement bonds have been posted for the model residence [home] complex. This condition cannot be waived or varied. B. Paved access and adequate access controls must be provided to all structures, as required by Chapter 30.60. C. The final map must record within 1 year from the date permits are issued for the uses. D. The final map may not be revised after the permits for the models or units have been issued, except with County approval. E. The models or lots within the proposed subdivision may not be sold separately until the final subdivision map has been recorded. F. The model residence [homes] must meet the minimum setbacks required from the future lot lines to be established by the subdivision as required by code. G. The issuance of a permit for construction will not be construed as a commitment by the County to record the final map or to approve any zoning matter. H. Block walls are permitted on the proposed lot lines. 4. The model residences need not be built in the subdivision, nor have to be built by the same builder/developer of the remainder of the subdivision. 5. Fencing may occur and off-site improvements may be temporarily waived for a public street with the following conditions: A. Road closure must be approved by the Director of Development Services. B. Bonding for full off-site improvements must be posted: (This condition cannot be waived or varied.) C. Street area to be covered with landscaping; D. Upon sale of models, street must be improved to Clark County standards. Accessory Use in C-1, C-2, H-1, M-D and M-1: Must be in conjunction with a real estate, architects or designers office. (Ord 3586 § 5 (part), 2/2008; Ord. 3397 § 6 (part), 6/2006; Ord. 2769 § 87, 7/2002; Ord. 2737 § 2, 4/2002) | | | | | | | | | | | | | | | | | | | | | | | | | |
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Table 30.44-1 Global Use Table

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | Commercial Districts | | | | Manufacturing/Industrial Districts | | | Miscellaneous Districts | | | | | |
|--|------------|--|-----|----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V |
| Outcall Entertainment Referral Service | 6590 | | | | | | | | | | | | | S | S | C | C | | | | | | | S |
| | | Conditional Use in M-D and M-1 Subject to an Administrative Design Review Application, and Special Use in C-1, C-2, and H-1, All subject to the following separations. (These conditions cannot be waived or varied) Separations shall be measured radially in all directions from the property line to the nearest property line of the uses listed below. [Where the proposed use is within 500 feet of the required separation.] [T]he applicant shall provide evidence certified by a professional land surveyor licensed in the State of Nevada that demonstrates conformity with the following separation requirements. Must be located a minimum of: 1. 1,500 feet from any residential use; 2. 1,500 feet from a public library, public park or playground, day care facilities for children, [major] school, or place of worship. (Ord. 2625 §2, 2001) | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | |

Table 30.44-1 Global Use Table

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | Commercial Districts | | | | Manufacturing/ Industrial Districts | | | Miscellaneous Districts | | | | | | |
|---|------------|-----------------------|-----|----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|-------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Seasonal Sales (Also see “Temporary Outdoor Commercial Event”) | 5900 | | | | | | | | | | | | T | T | T | T | T | | | | | | | T | T |
| Conditions for Temporary Use Subject to: 1. Activities are allowed within the AE-65 and AE-70 Airport Environs overlay subdistricts . 2. May be located within a parking lot, temporarily reducing the availability of no more than 30% of required parking, or on an undeveloped lot which has paved access. On-site paving, including parking and drive aisles shall not be required provided all Clark County Air Quality Regulations are met. 3. If located on an undeveloped lot, landscaping, trash enclosure, paved parking and buffer wall requirements need not apply; however, dust control measures shall be applied if required by the Clark County Air Quality Management Department. 4. All activities, temporary structures, and signs, including fencing, shall be set back as follows: A. 10 feet from all property lines or the minimum separation required by the Clark County Fire Code, whichever is greater. B. 200 feet from all property lines adjacent to existing residential development unless buffered from the development by an existing building. 5. No adult use shall be permitted as a seasonal sales use. 6. No live entertainment shall be permitted except for haunted houses proceeding the Halloween season. 7. Incidental food and drink sales are allowed [(no food carts)]. 8. Time Limit: Halloween/Christmas: sales permitted 30 days prior to the holiday; up to 1 week prior to the 30 days for operation set -up and up to 1 week after the holiday for operation removal. All other seasonal sales permitted 14 days prior to the holiday, including operation set-up, plus one additional day after for operation removal. 9. Access control per 30.60.080 - (Motor Vehicle Access). 10. Subject to the approval of the Clark County Fire Department and the issuance of a business license. 11. Outside storage of chemicals and/or other hazardous materials must comply with all required conditions for Hazardous Materials Storage per Table 30.44-1 in addition to the conditions listed above. (This condition cannot be waived or varied) Use permitted outside. (Ord. 3688 § 7 (part), 10/2008; Ord 3586 § 5 (part), 2/2008; Ord. 2907 § 6 (part), 7/2003; Ord. 2741 § 7 (part), 5/2002) | | | | | | | | | | | | | | | | | | | | | | | | | |

Table 30.44-1 Global Use Table

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | Commercial Districts | | | | Manufacturing/ Industrial Districts | | | Miscellaneous Districts | | | | | | |
|--|------------|--|-----|----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|-------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Service Station <i>See also Convenience Store</i> | 5500 | | | | | | | | | | | | | S | C | C | C | | | S | | | | | S |
| | | Conditional Use in C-2, M-D and M-1 and Special Use in C-1, H-1 and H-2 Subject to: (The Commission or Board may consider waiving these conditions with the approval of a special use permit.) 1. All overhead doors shall not face toward a public street or residential development unless screened from a street with landscaping or by another building. 2. Minimum 30 feet for all buildings and canopies from the right-of-way line of any section line street. 3. Minimum 20 feet for all buildings and canopies from the right-of-way line of any non-section line street. 4. Must be set back a minimum 200 feet from any residential use on a separate property. 5. Underground fuel tanks must be set back 1,000 feet from any well used as a source of potable water, lake or major wash unless the underground tank is constructed per the Southern Nevada Health District Department of Environmental Health’s more stringent structural requirements. (Ord. 3472 § 7 (part), 1/2007; Ord. 2683 § 3 (part) 11/2001) | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | |

Table 30.44-1 Global Use Table

| Uses | SLUCM CODE | Residential Districts | | | | | | | | | | Commercial Districts | | | | Manufacturing/ Industrial Districts | | | Miscellaneous Districts | | | | | | |
|---|------------|-----------------------|-----|----|-----|-----|-----|-----|-----|-----|-----|----------------------|-----|-----|-----|-------------------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|-----|
| | | R-U | R-A | RE | R-D | R-1 | R-T | R-2 | RUD | R-3 | R-4 | R-5 | CRT | C-P | C-1 | C-2 | M-D | M-1 | M-2 | O-S | H-2 | P-F | RVP | U-V | H-1 |
| Temporary Outdoor Commercial Event <i>(Also see “Seasonal Sales” and “Carnival/Circus Temporary Use”)</i> | 5900 | T | T | T | T | T | T | T | T | T | T | | T | T | T | T | T | T | | | T | | T | T | T |
| Conditions for Temporary Use Subject to: 1. The outdoor event must be licensed through, and on the same property as, an existing licensed business, within a model residence complex, or in conjunction with a special use, except that the outdoor event shall not be permitted in conjunction with an accessory commercial use or home occupation; 2. Not more than 30% of the required parking is reduced if the outdoor event is located within a parking lot; 3. All outside activities, including live entertainment, temporary structures, and signs are set back as follows: A. 10 feet from all property lines or minimum separation required by Clark County Fire Code, whichever is greater; B. 200 feet from all property lines if adjacent to existing residential development unless buffered from the development by an existing building; C. For live entertainment, 500 feet from all property lines if abutting existing residential development unless buffered from the development by an existing building; D. Live entertainment may only be conducted during daytime hours; 4. Pedestrian and vehicular controls are provided so that sidewalks and rights-of-way are not obstructed; 5. Time Limit and Maximum Number of Events: A. For resort hotels, no limit on the number of events and maximum 10 days per event; B. For commercial and industrial developments, and special uses within residential or RVP districts, maximum one, 10 day event in a calendar month with no more than a total of 12 events per calendar year; C. For model <u>units [homes or apartments]</u> in residential developments, maximum one, 3 day event in a calendar month with no more than a total of 12 events per calendar year; 6. The outdoor event may not involve live entertainment in C-P districts; 7. Incidental food and drink sales are allowed; 8. A temporary outdoor event may be established per Table 30.16-5; 9. Outdoor events in a P-F district, 1 day private parties in residential developments, and groundbreaking ceremonies for approved uses are exempt from the regulations of this section; 10. 1 week for set-up and 1 week for operation removal shall be permitted; and. 11. On-site paving, including parking and drive aisles shall not be required provided all Clark County Air Quality Regulations are met. 12. Within the Bureau of Land Management disposal boundary, temporary amusement systems which require a permit per Title 22.16 are not permitted in the H-1 district if visible from a street unless approved by a special use permit for a deviation in conjunction with a resort hotel (this condition cannot be waived or varied). 13. Temporary amusement systems may exceed the height of the zoning district; however, intrusions into airport airspace shall obtain the required approval per Chapter 30.48. No adult uses permitted. (Ord. 3757 § 5 (part), 4/2009; Ord. 3688 § 7 (part), 10/2008; Ord. 3635 § 6 (part), 6/2008; Ord. 2907 § 6 (part), 7/2003; Ord. 2890 § 5 (part), 4/2003; Ord. 2741 § 17 (part), 5/2002; Ord. 2646 § 1, 2001) | | | | | | | | | | | | | | | | | | | | | | | | | |

Table 30.44-1 Global Use Table

[illegible]

SECTION 5. Title 30, Chapter 30.48, Sections 30.48.550, 30.48.640, 30.48.930 and 30.48.935 of the Clark County Code are hereby amended to read as follows:

30.48.550 Separations. Except as otherwise provided, separations shall be measured radially in all directions from the adult use property line to the nearest property line of the uses described below. ~~[Where the proposed use is within five hundred (500) feet of the required separation,]~~ [t]The applicant shall provide evidence, certified by a professional land surveyor licensed in the State of Nevada, that demonstrates conformity with the separation requirements listed below. Separation requirements shall be satisfied as of the date the application is filed.

- A. 1,500 foot minimum separation from any residential use, public library, public park, day care facility for children, ~~major~~ school, or place of worship. An exception is permitted only for day care facilities established after an adult use was established and which serve the employees of the adult use.
- B. 1,000 foot minimum separation from another existing adult use except that the 1,000 foot separation shall be measured from the building or suite of each adult use when located on the same parcel.
- C. 660 foot minimum separation from any mixed use or mixed-use development. (Ord. 3518 § 10 (part), 5/2007; Ord. 3055 § 5, 4/2004)

30.48.640 Site and Design Development Standards. The provisions of this Section shall serve as a supplement to the underlying zoning district regulations. Unless otherwise specified in Section 30.56.100 (Design Standards – Hillside & Foothills Development) and in this overlay district, the uses, minimum lot sizes, lot width, setback requirements, lot coverage, and other general development requirements shall be determined by the regulations applicable to the underlying zoning district.

a. Scope.

- 1. The development standards and guidelines established apply to all new non-residential development. The provisions for buffering between incompatible uses shall apply to the project site (nonconforming development), whether residential or non-residential, and include residential developments developing in areas planned for non-residential land uses.
- 2. The standards exemplify the most appropriate design responses for non-residential developments and do not pose absolute design constraints or eliminate design freedom. Additionally, they are intended to promote innovative design, eliminate elements of poor design, and ultimately ensure high quality developments consistent with the overall purpose of the overlay district.

c. West Village Area Streetscapes – Generally located from Cimarron Road to the I-215 Beltway at Durango Road, and Patrick Lane to Badura Avenue as shown on Map 14 in Appendix G. Due to the mixed-use, commercial, and industrial developments, and commensurate levels of intensity, and in addition to the general regulations and standards listed elsewhere in this Title, a set of special streetscape standards are hereby established for all developments within the designated area. The purpose is to provide a common set of guidelines and requirements for the West Village area that will ensure a cohesive and unified streetscape.

- 1. All developments within the specified area shall comply with streetscape standards in accordance with the “Design Standards for West Village Streetscapes,” including all exhibits,

the current edition or as amended from time to time. A copy of said streetscape standards is available from the Department of Comprehensive Planning

30.48.930 Architectural Development Standards. This section establishes architectural standards which enhance the rural character within the Moapa Valley.

1. Non- residential buildings along Moapa Valley Boulevard within the Overton Town Center [~~Main Street~~] area (as shown on the land use plan) shall have an entrance facing the Moapa Valley Boulevard right-of-way.

30.48.935 Site Development Standards. The standards below are intended to serve as supplemental requirements to the underlying zoning district regulations and various site development standards established in Title 30, Chapters 30.40, 30.44, 30.48, and 30.56. The uses, minimum lot sizes, lot width, yard requirements, lot coverage, and other development requirements shall be determined by the regulations applicable to the underlying zoning district. The standards within this section are intended to provide visually appealing streetscapes and enhance the rural lifestyle by preserving and restoring the scenic qualities of the native landscape.

1. Perimeter Buffering, Landscape, and Screening:

- A. Detached sidewalks per Figure 30.64-17 are required along all arterial and collector streets for all developments. For residential development a 6 foot decorative wall is required behind landscaping and the detached sidewalk. If agricultural development is adjacent to the detached sidewalk and landscaping, traditional farm/agricultural fencing may be provided.

2. **Parking.** Within Overton Town Center [~~Main Street~~] area (as shown on land use plan) parking is not permitted between rights-of-way and buildings unless approved through a Waiver of Development Standards or Variance application.

SECTION 6. Title 30, Chapter 30.56, Section 30.56.040, 30.56.050 and 30.56.080 Table 30.56-2, Figure 21, Figure 22 and Figure 23 of the Clark County Code are hereby amended to read as follows:

PART B SUBDIVISION DESIGN

30.56.040 Yards, ~~and~~ Setbacks, and Driveways.

- a. **Yards.** The areas located between buildings and property lines in the front, side, and rear areas of lots are considered yards (See Figures 30.56-5 and 30.56-6).
- b. **Setbacks.** Required setbacks shall extend the entire width or depth of the lot, or future lot line after required street dedication, and shall be open from the ground to the sky except for roadway improvements, utility equipment, accessory structures (such as mailboxes, light poles, or pedestrian overpass bridges) and landscaping required by any government entity or as needed by any public utility, and permitted architectural intrusions and enclosures. Parking may be located within required setbacks. These regulations are applicable for front, side, and rear setbacks of lots and establish the maximum buildable area of the lot. Except for the R-U, R-A, and R-E districts, setbacks are measured from the future right-of-way line, the edge of any private street, the back of sidewalk for attached sidewalks, or the property line, whichever is closest, to the nearest finished

exterior surface of the applicable building or structure perpendicular for the depth of the required setback.

Exceptions:

- i. Setbacks for single family residential development in the R-U, R-A, and R-E rural residential districts are measured exclusively from the property line or future right-of-way.
 - ii. Setbacks adjacent to detached sidewalks within required landscape areas shall be measured from a line 5 feet behind back of curb to the buildable area (see dedication requirements established in 30.52.030 and landscape Figures 30.64-17 and 30.64-18).
1. **Front Setback.** The minimum front setback, required per Chapter 30.40, is measured as shown in Figures 30.56-1 and 30.56-2 unless detached sidewalks are constructed (see Exceptions above, Section 30.52.030(a)(1)(K), and Figures 30.64-17 and 30.64-18). Additional setbacks are also required per 30.56.040(d) and 30.56.070(b) for buildings over specified heights (see Figure 30.56-4 and 30.56-10).
 2. **Single Family Driveways and Garages.** The minimum driveway length for single family development within all residential districts for the principal garage shall be 20 feet except that all cul-de-sac lots shall have a minimum driveway length of 18 feet. Single family cluster development in the RUD and R-3 districts shall have a driveway length of either 10 feet or a minimum of 20 feet. Garages facing side or rear streets shall comply with driveway sight zone requirements in accordance with 30.56.080(e). Waivers to modify the driveway requirements herein established for principal garages facing the front shall not be permitted. (See Figure 30.56-3)

30.56.050 Sight Zones. Sight visibility zones as shown in Appendix B1, or alternatively B2 through B5 (whichever is applicable), and Figure 30.56-9 shall be established and maintained at all intersections of public and/or private streets, alleys and drive aisles. Sight zones shall be measured from a line 5 feet behind the back of curb. Detached sidewalk sight zones also include entire area adjacent to sight zone from 5 feet back of curb to off-site improvement. No structure, vegetation, or object of any kind is permitted over 24 inches in height, measured from the top of the adjacent curb if a curb exists. If no curb exists, the measurement will be from the adjacent riding surface of the roadway. Traffic control devices, their related appurtenances, and street lights illuminating public streets may be placed within the sight zones. The graphical depiction of a sight zone must contain adequate dimensions so that it can be established on the ground from the parcel's property line(s) and shown on site plans. An exception to corner lot sight zones shall be made for property for which any tentative map was accepted, a parcel map recorded or legal single family residential lot established, prior to December 5, 1996, where the standard shown in Appendix B6 shall apply at the applicant's option.

30.56.080 Lot Configuration.

- a. All divisions of land shall result in the creation of lots which conform to lot requirements contained in this Title and are capable of being developed or built upon unless they are required for private streets, public or private utilities, for the provision of required landscaping, or other common area lots. Provisions must be made, by a recorded document, for the permanent maintenance of such street, utility and/or landscape lots. No remnants of land shall be left in the subdivision.

~~[m. Lots should be designed with driveways covering not more than 40% of the lot frontage.]~~

| Table 30.56-2 DESIGN STANDARDS | | | | | |
|--|---------------------------------------|---|------------------------|------------------------|---------------------|
| Design Standards | Single Family Residential Development | Multiple Family Residential Development | Commercial Development | Industrial Development | Special Development |
| <p>Access. Except for single family residential development, ingress and egress from properties providing the sole or primary means of access shall also include a minimum vehicular clearance of 14 feet. Developments shall not access residential local streets, residential private streets or easements, or minor residential collector streets which serve single-family residential development unless 1 or more of the following conditions exist:</p> <p>A. a residential local street, residential private street or easement, or minor residential collector street is the sole means of access; or</p> <p>B. a residential local street, residential private street or easement, or minor residential collector street is the specified means of access per a Waiver of Development Standards or per the conditions of approval of a related land use application; or</p> <p>C. a residential local street, residential private street or easement, or minor residential collector street accesses a block [property] that is master planned for non-residential uses.</p> | | X | X | X | X |

| Table 30.56-2 DESIGN STANDARDS | | | | | |
|---|---------------------------------------|---|------------------------|------------------------|---------------------|
| Design Standards | Single Family Residential Development | Multiple Family Residential Development | Commercial Development | Industrial Development | Special Development |
| Architectural Features. | | | | | |
| <ol style="list-style-type: none"> 1. Dwellings within the urban area shall include architectural features such as covered entries, bay windows, porches, balconies, or walls off-set a minimum 3 feet. 2. Large scale retail business ((See Figures 30.56-21-23)): <ol style="list-style-type: none"> A. Building facades shall incorporate projections, recesses and/or other architectural features on building facades to break up large expanses of walls. No uninterrupted length of a building facade shall exceed 100 horizontal feet. B. Building(s) shall have entries to the building or establishment which are clearly defined or have a focal point featuring a mix of 1 or more of the following design elements: overhangs, recesses, canopies, porticos, projections, raised cornices or parapets, peaked roof forms, arches, awnings, pilasters, columns, arcades, colonnades, overhanging eaves, fenestration, and other such architectural features. C. Building entry elements must be roughly proportional in scale with the size of the building. D. Facades may include repeated patterns, but not less than three times per 100 feet of building fascia. E. Buildings with vertical elements such as towers and chimneys should balance the horizontal composition. F. The site shall include outdoor public plazas with benches (which may include eating areas), and 1 or more decorative light fixtures, fountains, enhanced vehicular entrances to the center or other similar architectural design features. G. Buildings are encouraged to have a variety of architectural styles and character with themes that are consistent within the same center. Examples include, but are not limited to, Southwestern/Mediterranean style architecture such as stucco with tile roofs, or alternative styles/designs may be considered, if compatible with adjacent buildings. H. The building(s) of single large scale retail use(s) facing streets and driveways are encouraged to incorporate recessed display windows, and multiple entry areas. I. Complimentary colors, texture and material are encouraged to be used as accents and trims on buildings | #1 only | | #2 only | #2 only | #2 only |

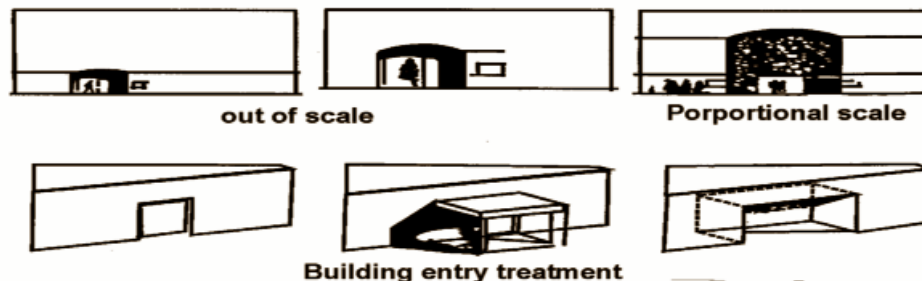
| Table 30.56-2 DESIGN STANDARDS | | | | | |
|---|--|---|--|---|--|
| Design Standards | Single Family Residential Development | Multiple Family Residential Development | Commercial Development | Industrial Development | Special Development |
| <p>Exterior Materials. Exterior siding must consist, or give the appearance, of the following building materials and decorative style:</p> <ol style="list-style-type: none"> 1. Stucco, masonry, wood. Commercial and industrial development may have a finished concrete appearance. 2. Decorative Metal [—, provided any metal building material is decorative or horizontal lap] only <u>allowed</u> within the urban area. <ol style="list-style-type: none"> a. <u>Non-decorative Metal only allowed within the rural area.</u> 3. Any exterior siding affixed to give the appearance of a continuous horizontal or vertical pattern (not metal if vertical) shall include decorative features. 4. Non-reflective glass is permitted as a principal building material within commercial, industrial, mixed use, and special development, except in the CRT district. 5. The appearance of all building faces and roof coverings of non-residential development shall be similar to the front facade of the building when adjacent to residential development. The buildings and parking structures of all large scale retail businesses must be decoratively finished on all sides. 6. Exterior colors should consist of subdued tones and not display vivid hues. 7. All buildings within a shopping center and large scale retail businesses should have sufficient compatible architecture or architectural elements to give the appearance of being an integral part of the center. 8. Awnings, accessory structures and architectural intrusions may include fabric material(s) as permitted by Building and Fire Codes. | <p>X</p> <p>Except for metal sheds as permitted in 30.44-1</p> | X | <p>X</p> <p>If architectural materials are not considered compatible, then an alternative design must be approved through a public hearing</p> | <p>X</p> <p>In M-1 or M-2 within the urban area vertical metal is permitted. If architectural materials are not considered compatible, then an alternative design must be approved through a public hearing</p> | <p>X</p> <p>If architectural materials are not considered compatible, then an alternative design must be approved through a public hearing</p> |
| <p>Mechanical Equipment. Except for solar power generating equipment, all [rooftop-mounted] mechanical equipment shall be screened. Screening shall be the height of the units to be screened, where visible from eye level within 500 feet of the building and consist of architectural features integrated into the design of the building and constructed of similar or compatible materials as the building.</p> | RUD District Only | X | X | X | X |
| | | | | | |

| Table 30.56-2 DESIGN STANDARDS | | | | | |
|--|---------------------------------------|---|---|--|---------------------|
| Design Standards | Single Family Residential Development | Multiple Family Residential Development | Commercial Development | Industrial Development | Special Development |
| Roofing 1. Pitched Roof A. Except for paddocks, sheds, aircraft hangars, decorative patio covers, fabric awnings [and permitted accessory structures], carports, porches, sun rooms, trash enclosures or similar decorative [features] <u>structures</u> : minimum pitch of 3:12. B. Except for paddocks, sheds, aircraft hangars, decorative patio covers, fabric awnings [and permitted accessory structures], carports, porches, sun rooms, trash enclosures or similar decorative [features] <u>structures</u> : must consist, or give the appearance, of tile or asphalt shingle. Building materials may be used to give the appearance of wood shake; however, wood may not be used for any roofing. A decorative or standing seam metal roof may be used subject to subsection (1) (C) below. C. The roof shall be constructed or manufactured of a different material than the exterior siding of the home, or give the appearance of a different building material, to create a contrast between the roof and siding, unless the structure is excepted above in “A” or “B”. (Also see “Accessory Uses and Structures” and “Shed” in Table 30.44-1.) 2. Flat Roof (for example, Pueblo, Santa Fe, or Spanish Colonial architectural styles): A. Roof must be screened by parapet walls. B. Wood is not a permitted building material for roofing. C. Must meet minimum pitch for drainage purposes. 3. For large scale retail businesses, the roof line must be peaked, pitched or hipped, or may have <u>decorative</u> facades. | X | X | X See also Table 30.40-4 for standards Roofing Standard 1C does not apply | X 1 and 2 do not apply to metal buildings within M-1 or M-2 Roofing Standard 1C does not apply | X |

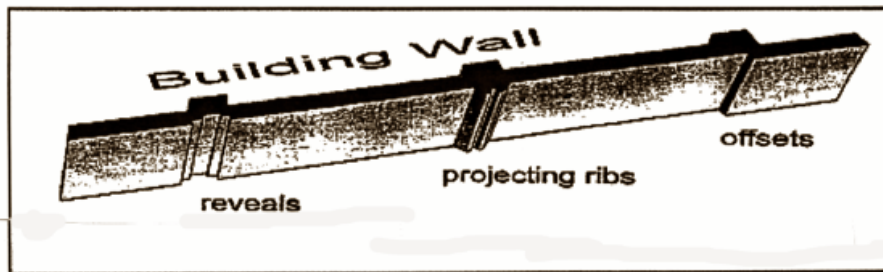
[Figure 30.56-21] DELETE FIGURE



[Figure 30.56-22] DELETE FIGURE



[Figure 30.56-23] DELETE FIGURE



SECTION 7. Title 30, Chapter 30.60, Table 30.60-1 and Table 30.60-5 of the Clark County Code are hereby amended to read as follows:

| TABLE 30.60-1 Schedule of Parking Requirements | |
|---|--|
| USES | Parking spaces required per dwelling unit (unit), square footage (sq. ft.) of gross floor area, or as otherwise listed (“:” indicates “per”) |
| COMMERCIAL/RETAIL SERVICE USES | |
| Bar/Lounge/Tavern | 10 : 1,000 sq. ft. [+ 2 : 1,000 sq. ft. outdoor uses (dining, cooking)] <u>Excluding outside drinking and dining areas</u> |
| Restaurants: freestanding restaurants not in a shopping center | 10 : 1,000 sq. ft. [+ 2 : 1,000 sq. ft. outdoor public uses] <u>Excluding outside drinking and dining areas</u> |
| Retail uses: such as shopping centers, [freestanding] restaurants or places of worship within a shopping center, personal services, banquet facilities, auctions, showrooms in conjunction with retail uses, appliance repair shops, and amusement arcades | 4 : 1,000 sq. ft. |
| EDUCATIONAL USES | |
| [Major] Schools: | |

| Table 30.60-5: Schedule of Loading Space Requirements | |
|---|--|
| USES | LOADING SPACES REQUIRED PER SQUARE FOOTAGE OF GROSS FLOOR AREA |
| Hotels, motels, hospitals, [major] schools, theaters | Less than 12,000 : 0 1 : 12,000 up to 120,000 + 1 : 120,000 over 120,000 |

SECTION 8. Title 30, Chapter 30.64, Section 30.64.020, 30.64.030, and 30.64.070 of the Clark County Code are hereby amended to read as follows:

30.64.020 Fences and Walls. Perimeter fences and walls are permitted and/or required in accordance with the provisions of this section. An additional one foot of decorative embellishment is permitted on each wall.

1. **When Permitted.** Unless otherwise specified in Tables 30.64-1 and 30.64-2, fences and walls not required (but permitted) shall comply with this subsection (1). However, when constructed in conjunction with a retaining wall, the specified maximum wall height may be increased to include the height of the retaining wall up to a maximum of 12 feet, subject to compliance with 30.64.050(4), unless otherwise specified in the Chapter. Security fences are permitted in conjunction with Temporary Government Facilities in any zoning district, subject to the requirements for security fences in 30.08.030 and Table 30.64-2.

A. Single Family Residential Development and Multi-family Buildings not within a dwelling group. Fences and walls may be up to 6 feet in height except if within 15 feet of the front property line or private street/easement (see Table 30.64-1 for front yard restrictions). Fences or walls which meet the setbacks for accessory buildings shall conform to accessory building height restrictions.

B. Multiple Family Dwelling Group Development. Fences and walls shall be a maximum of 6 feet high, shall be decorative if in the urban area, and shall be set back for landscaping along streets as required in Table 30.64-2 below.

C. Commercial and Special Development. Fences and walls over 3 feet in height are not permitted within the required zoning district setbacks along a street [~~setbacks~~] [~~(10-foot~~

~~minimum~~) unless required to buffer adjacent uses as approved by the Commission or Board. Any fence or wall within the required zoning district setbacks which is along a street ~~[setback]~~ shall be decorative. Congregate care, independent and assisted living, ~~[major]~~ school, and recreational facilities may have fences and walls within street setbacks subject to approval by the Commission or Board. Fences or walls within side and rear setbacks not adjacent to a street nor on the property line shall not exceed 6 feet in height.

30.64.030 Landscaping.

- a. Landscaping Required.** Except for mines, gravel pits, temporary uses, agricultural cultivation, public facilities without buildings, and the rear yards of single family dwellings, any disturbed area of a developed property not occupied by permitted outside activity areas, storage areas, structures, parking, driveways, drive aisles, bus turnouts, and sidewalks shall be landscaped and maintained in a clean condition. Disturbed areas designated for future development need not have live landscaping. (For the purposes of this Section and related landscaping requirements, rear yard is defined as any yard area behind established screen walls or fencing located in side or rear yards.) Any required landscaping may be within a trail dedication; however it cannot obstruct the intended use of the trail.
- b. Landscape Design Objectives.**
 1. Landscape plans shall incorporate water conserving design which includes appropriate soil, soil amendments to absorb and retain water and encourage the formation of deep root systems, mulch, drainage, and microclimates, and includes groupings of plants with similar water requirements on an irrigation line.
 - A. Grading and hydrology should whenever possible be designed to maximize the use of storm water for on-site irrigation.
 - B. Landscape plans shall address all applicable sight visibility concerns, including the location of traffic control signs and devices, sight visibility zones, and adequate spatial considerations for the (future) size and spread of plant materials at maturity in conformance with 30.16.240(a)(5). (Also see 30.64.030(k))
 2. The selection and orientation of plant material on the south and west sides of buildings is preferred to promote energy conservation and solar gains.
- c. ~~[Live]~~ Landscaping.**
 1. All required landscaping shall be planted with live plants, except as provided in subsection (a) above. For property at elevations of 4,000 or more feet above sea level, natural and native landscaping should be preserved and incorporated into the landscape area.
 2. Any tree within 5 feet of a required perimeter wall, sidewalk, street, or public utility easement adjacent to a street shall be planted with a root shield designed to redirect root growth and shall incorporate a deep root irrigation system per 30.64.030(1)(4)(B). All trees within this area shall be limited to those with non-invasive root systems per Appendix C, Plant List, Part 10. (See Figures 30.64-2 and 30.64-3)
 3. The front and side yards of single family residential development shall not contain more than 60% hardscape.

4. Efforts to keep and maintain existing drought-tolerant trees, especially if mature, are highly encouraged.

30.64.070 Drought Restrictions. During a drought, as defined in 30.08.030, the following additional restrictions shall apply to development. These restrictions cannot be waived or varied. Except for the prohibited operation of manmade decorative water features per Section 30.64.070(C) and the planting of cool season grasses per Section 30.64.070(A)(1), any development or facility that has obtained approval of a land use application or permit for construction prior to August 1, 2003, which approved landscaping not in conformance with the restrictions listed in this ordinance, will not be subject to these restrictions (water features thus approved may be constructed but not operated).

A. During Drought Watch, the following landscape material restrictions shall apply:

1. Residential Landscape Restrictions: Single-family and multifamily developments are prohibited from installing new turf in common areas of residential neighborhoods. This restriction shall not apply to privately owned and maintained parks, including required open space, provided that no turf area dimension is less than 10 feet.
2. Non-Residential Landscape Restrictions: The installation of new turf in non-residential developments is prohibited. This restriction shall not apply to ~~major~~ schools, parks, amphitheatres or cemeteries, provided that no turf area dimension is less than 10 feet; to turf required by other governmental jurisdictions and/or regulatory agencies; or to golf courses and driving ranges, provided that turf is limited to not more than 50% of what is permitted under subsection 30.64.030(j)(7).

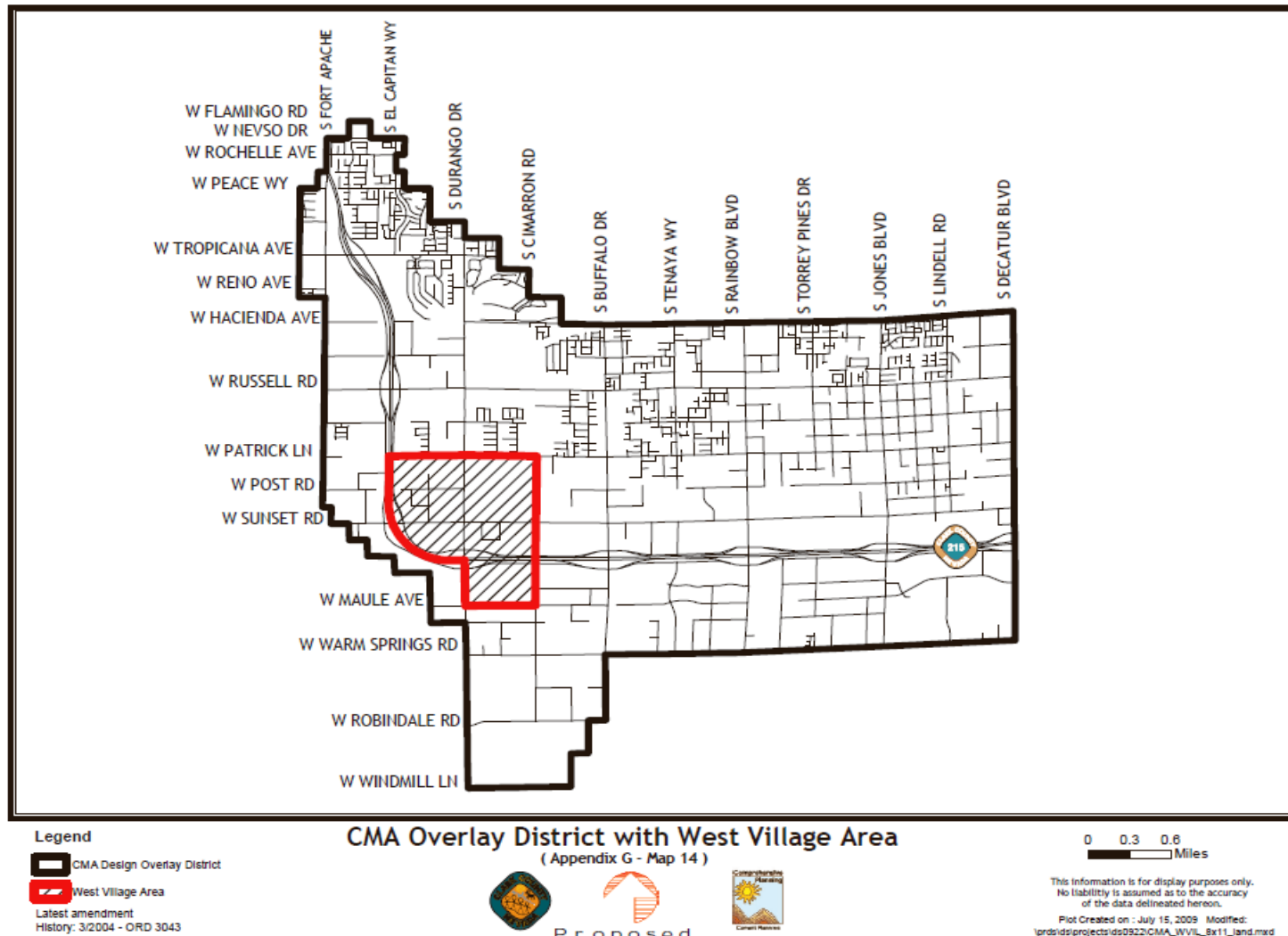
SECTION 9. Title 30, Chapter 30.72, Table 30.72-1 of the Clark County Code is hereby amended to read as follows:

| Table 30.72-1: On-Premise Signs | | | | | | | | |
|--|----------------------|--|--|--|--------|---------------------------------------|-------------------------------|---------------------|
| Districts and/or Uses | Sign Regulations | | | | | | | |
| | Permitted Sign Types | Other Conditions | Maximum Area | Number of Signs | Height | | Setbacks | Minimum Separations |
| • All Residential Districts • CRT • C-P AND • Special Uses Within These Districts ⁷ | Nameplate | Must be mounted on a building façade AND may only be directly illuminated with subdued white light. Reverse pan channel letters shall be used (metal letters not mounted flush to the wall, light radiates from inside the letter to the wall, no visible light source from the front of the sign) to create halo effect, AND must also be mounted on building in CRT or C-P Districts | 3 sq. ft. [for dwelling unit] per occupant [nameplates] OR 25 sq. ft. for subdivision and commercial identification or special use | 1 per each side of road providing access to a subdivision OR 1 per commercial building and tenant within CRT and C-P Districts | | Shall not extend above height of wall | Shall not cross property line | |
| | | | | | | | | |

SECTION 9. Title 30, Appendix F of the Clark County Code is hereby amended to read as follows:

| APPENDIX F: R-U, R-A, R-E, R-D, R-1, R-T, R-2, RUD, R-3, R-4, R-5 | |
|---|----------|
| <u>Watchman's Trailer</u> | <u>A</u> |

SECTION 10. Title 30, Appendix G Map 14 of the Clark County Code is hereby amended to read as follows:



SECTION 11. If any section of this ordinance or portion of thereof is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not invalidate the remaining parts of this ordinance.

SECTION 12. All ordinances, parts of ordinances, chapters, sections, subsections, clauses, phrases or sentences contained in the Clark County Code in conflict herewith are hereby repealed.

SECTION 13. This ordinance shall take effect and be in force from and after its passage and the publication thereof by title only, together with names of the County Commissioners voting for or against its passage, in a newspaper published in and having a general circulation in Clark County, Nevada, at least once a week for a period of two (2) weeks; on 9/21/09. A land use application approved prior to the effective date of this ordinance may be developed per the plans approved with the application.

PROPOSED on the _____ day of _____, 2009

PROPOSED By : _____

PASSED on the _____ day of _____, 2009

VOTE:

AYES:

NAYS:

ABSTAINING:

ABSENT:

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, NEVADA

By _____
Chair

ATTEST:

SHIRLEY B. PARRAGUIRRE, County Clerk

This ordinance shall be in force and effect from and after the _____ day of _____, 2009.